

REMARKS

Claims 1-18, 20, 22 and 25-27 are pending in the application.

Claims 1, 7-8, 11-13, 22 and 25-27 are amended above to overcome the examiner's claim objection, the section 101 rejection of claim 25 and the claim rejections under the first and second paragraph of section 112.

The specification is amended above to delete the December 30, 2009 specification amendments.

No new matter has been added to the application by way of these specification and claim amendments.

The Applicants are making the specification and claim amendments above in order to resolve all objections and non-prior art rejections in advance of appealing the examiner's final rejection. Entry of the specification and claim amendments above is requested because they will reduce the number of issues on appeal.

I. THE SPECIFICATION

The examiner objected to the amendments that Applicant made to the specification in its December 30, 2009 Office Action Reply for adding new matter to the application.

The examiner's objections are overcome by amending the specification above to delete the December 30, 2009 specification amendments.

II. THE CLAIM 26-27 OBJECTIONS

The examiner objected to claims 26-27 because it is not clear whether or not the claims are independent or dependent claims.

Claims 26-27 are clearly drafted as dependent claims. However, the claims are amended above to make it abundantly clear that they are dependent claims.

III. THE SECTION 101 REJECTION OF CLAIM 25

The examiner rejected claim 25 for being directed to non-statutory subject matter.

The rejection of claim 25 has been overcome by amending the claim to make it clear that

the claim is directed to a non-transitory computer readable medium that includes instructions for performing the claimed method.

IV. THE SECTION 112 FIRST PARAGRAPH REJECTIONS

The examiner rejected claims 1-18, 20, 22 and 25-27 under the first paragraph of Section 112 for a variety of reasons. The examiner's rejections are overcome or they are traversed as follows:

- The rejection of the claims on the basis that the specification does not support the feature of "defining respective regions of specified extent with the image around said locations" has been overcome by amending the claims to read "defining respective local regions of interest" which, the examiner noted in the Final Rejection, is supported by the specification.
- The rejection of claim 1 because the "computer or processor" language is not supported by the specification. The examiner's rejection is traversed. The specification at page 5, lines 6-8 specifically recites using a computer or dedicated hardware to perform the invention. In addition to reciting the use of a computer, the broad term "dedicated hardware" is sufficient to support our recitation of "computer or processor" in the claims. Furthermore since the invention is referred to as a "process" and comprising "processing stages" repeatedly throughout the specification then "processor" seems to be a particularly apt description of hardware to implement it. Therefore, the specification provides support for this feature of claim 1 and the examiner's rejection should be withdrawn.
- The rejection of claims 1-18, 20, 22 and 26-27 for non-enablement is also traversed. The specification discloses the following at page 5, lines 6-8:

The process can be performed in a suitably programmed personal computer (PC) or other general purpose computer of suitable processing power or in dedicated hardware.

This excerpt as well as other specification excerpts and the original application claims are sufficient to apprise one skilled in the art at the time of the invention how to practice the

invention using a computer or processor. For at least this reason, the examiner's rejection of the claims for non-enablement should be withdrawn as well.

V. THE SECTION 112, SECOND PARAGRAPH REJECTIONS

The examiner rejected claims 1-18, 20, 22 and 25-27 for being indefinite for lacking antecedent basis for certain claim terms.

The Applicant's have overcome the examiner's rejection by amending the claims above generally as the examiner suggested to provide the proper antecedent basis for the identified claim terms.

CONCLUSION

Entry of the specification and claim amendments above is respectfully requested because it will reduce the issues on appeal.

Respectfully submitted

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